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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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7 TAWNDRA L. HEATH,

8 Plaintiff,

9 v.

10 TRISTAR PRODUCTS, INC.,

11 Defendant.

Case No. 2:17-cv-02869-GMN-PAL

ORDER

(Stip Ext Time – ECF No. 40)

12 The court conducted a scheduling conference on July 31, 2018, on the parties' Stipulation  
13 and Order to Extend Discovery Deadlines (Second Request) (ECF No. 40). Joshua Dowling  
14 appeared on behalf of plaintiff, and Alexandria Layton appeared on behalf of defendant. The court  
15 heard from counsel on their request to extend the discovery plan and scheduling order deadlines  
16 for 120 days.


17 The complaint in this case was filed in state court and removed November 15, 2017. The  
18 parties stipulated to amend the complaint to name the manufacturer as a defendant. Tristar filed  
19 an answer to the amended complaint on March 19, 2018. The parties have engaged in some  
20 discovery but have not wanted to proceed with depositions until the manufacturer appears.  
21 Counsel for plaintiff advised the court that his process server indicates it will likely take between  
22 6 months to 2 years for plaintiff to serve the Chinese manufacturer, defendant Zhongshan Jinguang  
23 Household Appliance Manufacture Co., under the Hague Convention. The court will not delay  
24 discovery for up to two years or more while the plaintiff attempts to obtain service on the  
25 manufacturer in China. Counsel advised that they could complete discovery with an additional  
26 60-day extension. The court will therefore sever the manufacturer defendant, and give the parties  
27 a 60-day extension of the existing deadlines  
28

**IT IS ORDERED:** The unserved defendant is severed from this case for discovery and trial pursuant to Fed. R. Civ. P. 42(b) in the interests of convenience, and to expedite proceedings.

**IT IS FURTHER ORDERED** that the parties' Stipulation and Order to Extend Discovery Deadlines (Second Request) (ECF No. 40) is **DENIED**. A 60-day extension is granted and the following deadlines shall apply:

1. Last date to complete discovery: **December 17, 2018**
2. Last date to amend pleadings and add parties: **September 17, 2018**
3. Last date to file interim status report: **October 17, 2018**
4. Last date to disclose experts pursuant to Fed. R. Civ. P. 26(a)(2): **October 17, 2018**
5. Last date to disclose rebuttal experts: **November 16, 2018**
6. Last date to file dispositive motions: **January 16, 2019**
7. Last date to file joint pretrial order: **February 15, 2019**. In the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until 30 days after a decision of the dispositive motions.
8. The disclosures required by Fed. R. Civ. P. 26(a)(3), and any objections thereto, shall be included in the pretrial order.

DATED this 2nd day of August, 2018.

  
PEGGY A. FEEN  
UNITED STATES MAGISTRATE JUDGE